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**IGMS  
FY2010  
Award  
Activity**

**EPA Award Document**

**Title: Sanitary Surveys: Ontario- St. Lawrence**

**Document not found**

▼ Document Status

**Document Phase:** Final

**Last Modified:** 10/17/2012

**Current Editor:** Michele Jurker

**Delegate:** Sharon Fortune

▼ Application Information

**Amount Requested:** \$250,000

**Date Received:** 07/06/2010

**Date Signed:** 06/24/2010

▼ Award Information

**Awarding Region:** EPA R2

**Grant Number:** 97279700-0

**Record Type:** N

**Program Code:** GL - Great Lakes National Program Grants

**Upload to GICS:** Yes

**Grant Type:** Non-Construction

**Agreement Type:** Grant Agreement

**Payment Method:** Advance

**ACH#:** 20366

**Payment Office:** Las Vegas Finance Center

**Funding Pkg. Date:** 09/02/2010

**Mailing Date:** 09/27/2010

**Award Date:** 09/20/2010

**Acceptance Date:**

**ODN:** GL97279700

▼ Recipient Information

Name and Address of Recipient

**Applicant Type:** State

**Applicant Name:** NYSPRH - NY St Off of Parks Recreation & Historic Preserv

**DUNS:** 041002973

**Address:** Empire State Plaza, Agency Building #1

**City:** Albany

**County:** Dutchess

**State:** NY

**Zip:** 12238

**Congressional Dist:** 22

**EIN:** 14-6013200

**Organizational Unit:**

**Sub Org. Unit:**

**NSF Code:**

**Minority Institution:**

Name and Address of Payee

**Payee Name:** New York State Office of Parks,  
Recreation and Historic Preservation

**Address:** Empire State Plaza, Agency Building #1

**City:** Albany

**State:** NY

**Zip:** 12238

Recipient Point Of Contact

<b>Project Manager:</b> Kate Haggerty	
<b>Title:</b> Water Quality Program Assistant	<b>Fax:</b> 518-474-7013
<b>E-Mail:</b> Kate.Haggerty@oprhp.state.ny.us	<b>Phone:</b> 518-474-0409
<b>Address:</b> Empire State Plaza, Agency Building #1	
<b>City:</b> Albany	
<b>State:</b> NY	<b>Zip:</b> 12238

▼ EPA Contacts

<b>Grant Specialist:</b> Michele Junker	<b>GS ID:</b> ADI
<b>Office:</b> Grants and Contracts Mgt Branch	<b>Mail Code:</b> OPM/GCMB
<b>E-Mail:</b> Junker.Michele@epamail.epa.gov	<b>Phone:</b> 212-637-3418
<b>Project Officer:</b> Helen Grebe	<b>Approving Region:</b> EPA R5
<b>Title:</b>	
<b>E-Mail:</b> Grebe.Helen@epamail.epa.gov	<b>Phone:</b> 732-321-6797
<b>Address:</b> 2890 Woodbridge Avenue	<b>Mail Code:</b> DESA/MAAB/MOS
<b>City:</b> Edison	
<b>State:</b> NJ	<b>Zip:</b> 08837
<b>Approval Office Div:</b> Great Lakes National Program Office	
<b>Address:</b> 77 West Jackson Blvd.	
<b>City:</b> Chicago	
<b>State:</b> IL	<b>Zip:</b> 60604-3507
<b>Congressional Liaison:</b> Barbara Brooks	<b>Phone:</b> 202-564-2783
<b>AAShip:</b> R5 - Region 5	
<b>Division/Office:</b> Great Lakes National Program Office	
<b>Lab/Office:</b>	

▼ Project Information

<b>CFDA:</b> 66.469 - Great Lakes Program
<b>Media:</b> Water
<b>Project Title:</b> Sanitary Surveys: Ontario/St. Lawrence River NY State Parks
<b>Description:</b> <p>This project supports the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement, pursuant to Public Law 111-88. Specifically, sanitary surveys will be conducted at 9 beaches located on eastern Lake Ontario and the St. Lawrence River. The sanitary surveys will identify primary pollutants and their source locations and then use this information to remediate beaches. This work will provide for a better understanding of how the surrounding watershed and beach hydrology affect beach water quality.</p>

Areas Affected by Project

<b>City/Cities:</b>	
<b>County/Countries:</b> Jefferson; St. Lawrence	
<b>State(s):</b> NY	
<b>Congressional Dist:</b> 23	
<b>Budget Period Cost:</b> \$299,880	<b>Project Period Cost:</b> \$299,880
<b>Project Period Start:</b> 09/01/2010	<b>Project Period End:</b> 07/31/2014
<b>Budget Period Start:</b> 09/01/2010	<b>Budget Period End:</b> 07/31/2014
<b>Applicant ID:</b>	<b>State ID:</b>
<b>Statutory Auth:</b> Public Law 111-88, Department of Interior, Environment and Related Agencies Appropriations Act 2010	
<b>Regulatory Auth:</b> 40 CFR PART 31	
<b>Special Tracking Code:</b>	

▼ Competition, EPA Order 5700.5A1

Was the award made through a competitive process? Yes

What type of competitive process was used?

Open Competition

Announcement number or other identifier for the announcement: EPA-R5-GL2010-1

Date the announcement was issued, released, or posted: 11/23/2009

Include an attachment documenting the rationale for the selection of the recipient for an award as required under Section 9.f of the Competition Policy (EPA Order 5700.5A1).



Sel Doc IC2 Beach San Surveys-Final.doc

Competition code: C

#### ▼ Award Document Attachments

Attachments: - Link to funding Recommendation



97279700 New.doc

#### ▼ Fiscal Information

Vendor Code: 146013200CV

Service Finance AP33

Office:

Accounting Period: 122010

IFMS Status: Submitted

Line	Site Name	Req No	Fiscal Yr	Approp Code	BO Code	PRC	Object Class	Amount	Site Project	Cost Org Code
001	-	100SHNX109	1011	B	05H8	403BJ7E	4116	250,000	053300N	-
								250,000		

#### ▼ Award Amount

Funds	Former Award	This Action	Amended Total
EPA Amount This Action:	\$	\$250,000	\$250,000
EPA In-Kind Amount:	\$	\$	\$0
Unexpended Prior Yr. Bal:	\$	\$	\$0
Other Federal Funds:	\$	\$	\$0
Recipient Contribution:	\$	\$49,880	\$49,880
State Contribution:	\$	\$	\$0
Local Contribution:	\$	\$	\$0
Other Contribution:	\$	\$	\$0
Allowable Project Cost:	\$0	\$299,880	\$299,880

#### ▼ Approved Budget

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$46,565
2. Fringe Benefits	\$23,999
3. Travel	\$7,250
4. Equipment	\$6,800

5. Supplies	\$2,120
6. Contractual	\$213,146
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$299,880
10. Indirect Costs: Rate % Base	\$0
11. Total (Share: Recipient 16.63 % Federal 83.37 %.)	\$299,880
12. Total Approved Assistance Amount	\$250,000
13. Program Income	\$0

▼ Administrative & Programmatic Conditions

Administrative Conditions

## **1. ADVANCE METHOD OF PAYMENT**

In accordance with EPA regulations, the recipient is authorized to receive advance payments under this agreement, provided that the recipient takes action to minimize the time elapsing between the transfer of funds from EPA and the disbursement of those funds. The recipient shall request Federal payments by completing the EPA Payment Requests Form (EPA Form 190-F-04-001) and faxing it to the Las Vegas Finance Center at 702-798-2423. This form can be found at [www.epa.gov/ogd/forms/forms.htm](http://www.epa.gov/ogd/forms/forms.htm).

## **2. DRUG-FREE WORKPLACE CERTIFICATION FOR ALL EPA RECIPIENTS**

The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award. Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at [http://www.access.gpo.gov/nara/cfr/waisidx\\_06/40cfr36\\_06.html](http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html).

## **3. ELECTRONIC TRANSFER OF FUNDS**

The Debt Collection Improvement Act of 1996 requires that Federal payments be made by electronic funds transfer after January 2, 1999. In order to comply with the Act, a recipient must receive payments via one of two electronic mechanisms available to them:

### **A) Automated Standard Application for Payments (ASAP)**

ASAP is an automated drawdown system sponsored by the U.S. Department of the Treasury. Recipients must enroll with Treasury. Additional information concerning ASAP can be obtained by contacting the EPA Las Vegas Finance Center, at (702) 798-2495, or by visiting [www.fms.treas.gov/asap](http://www.fms.treas.gov/asap).

Under this payment mechanism, the recipient initiates, via ASAP, an electronic or voice-activated telephone payment request which is approved or rejected based on the amount of available funds authorized by EPA in the recipient's account. Approved funds are credited to the recipient organization at the financial institution identified on the recipient's ASAP enrollment application.

In order to receive payments via ASAP the recipient must first complete an ASAP enrollment application and have an ASAP account set up.

### **B) Electronic Funds Transfer (EFT)**

Under this payment mechanism, the recipient submits an EPA Payment Requests Form to EPA for approval. Approved funds are credited to the recipient organization at its designated financial institution. In order to receive EFT payments the recipient must first complete and return the *ACH Vendor/Miscellaneous Payment Enrollment* form (TFS Form 3881) to the EPA Las Vegas Finance Center. The Enrollment form can be found by visiting <http://www.epa.gov/ocfo/finervices/payinfo.htm#grants>. Upon receipt and processing of the enrollment form, the LVFC will send you a letter assigning you an EFT Control Number. At that time you will also receive an EFT payment process Recipient's manual along with a supply of EPA Payment Requests and other required forms. Additional information concerning EFT can be obtained by contacting the EPA Las Vegas Finance Center, at (702) 798-2495.

## **4. FEDERAL FINANCIAL REPORTS/GRANT CLOSEOUT**

Pursuant to 40 CFR 31.41(b) EPA recipients shall submit an interim annual Federal Financial Report (SF-425) to EPA no later than 90 calendar days following the anniversary of the start date of the agreement. All FFRs must be submitted to the Las Vegas Finance Center (address

below).

#### B) Final Federal Financial Report

At the end of the project, the recipient must submit a final Federal Financial Report to EPA no later than 90 calendar days after the end of the project period. The form is available on the internet at <http://www.epa.gov/ocfo/finservices/forms.htm> . All FFRs must be submitted to the Las Vegas Finance Center:

U.S. Environmental Protection Agency  
Las Vegas Finance Center  
PO Box 98515  
Las Vegas, NV 89119

or by Fax to: 702-798-2423.

The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

#### C) Closeout

The Administrative Closeout Phase for this grant will be initiated with the submission of a "final" FFR. At that time, the recipient must submit the following forms/reports to the EPA Region 2 Grants and Contracts Management Branch, if applicable:

- Federally Owned Property Report
- An Inventory of all Property Acquired with federal funds
- Contractor's or Grantee's Invention Disclosure Report (EPA Form 3340-3)

Additionally, the recipient's Final Request for Payment should be submitted to the LVFC.

### **5. HOTEL-MOTEL FIRE SAFETY**

Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

### **6. LOBBYING AND LITIGATION**

The chief executive officer of this recipient agency shall ensure that no grant funds awarded under this assistance agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The recipient shall abide by its respective OMB Circular (A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States or for lobbying or other political activities.

### **7. RESTRICTIONS ON LOBBYING**

The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly.

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

### **8. MANAGEMENT FEES**

Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

## **9. EXTENSION OF PROJECT/BUDGET PERIOD EXPIRATION DATE**

If a no cost time extension is necessary to extend the period of availability of funds (budget period), the recipient must submit a written request, including a justification as to why additional time is needed and an estimated date of completion to the EPA, Region 2, Grants and Contracts Management Branch prior to the budget/project period expiration dates. An interim FFR (SF-425), which covers all expenditures and obligations to date, must also be submitted to the Las Vegas Finance Office at the address below.

U.S. Environmental Protection Agency  
Las Vegas Finance Center  
PO Box 98515  
Las Vegas, NV 89119

or by Fax to: 702-798-2423.

## **10. RECYCLING AND WASTE PREVENTION**

In accordance with the policies set forth in EPA Order 1000.25 and Executive Order 13423, Strengthening Federal Environmental, Energy and Transportation Management (January 24, 2007) and or 40 CFR 30.16, the recipient agrees to use recycled paper and double sided printing for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration.

In accordance with Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962) any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth. Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

## **11. REIMBURSEMENT LIMITATION**

EPA's financial obligations to the recipient are limited by the amount of federal funding awarded to date as shown on line 15 in its EPA approved budget. If the recipient incurs costs in anticipation of receiving additional funds from EPA, it does so at its own risk.

## **12. SINGLE AUDITS**

In accordance with OMB Circular A-133, which implements the single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit a copy of the SF-SAC and a Single Audit Report Package. **For fiscal periods 2002 to 2007 recipients are to submit hardcopy to the following address:**

Federal Audit Clearinghouse  
1201 East 10th Street  
Jeffersonville, IN 47132

**For fiscal periods 2008 and beyond the recipient MUST submit a copy of the SF-SAC and a Single Audit Report Package, using the Federal Audit Clearinghouse's Internet Data Entry System. Complete information on how to accomplish the 2008 and beyond Single Audit Submissions is available on the Federal Audit Clearinghouse Web site: <http://harvester.census.gov/fac/>**

## **13. SUB AWARD POLICY**

**a.** The recipient agrees to:

- (1) Establish all subaward agreements in writing;
- (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);
- (3) Ensure that any subawards comply with the standards in Section 210(a)-(d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
- (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;
- (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
- (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;

(7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country; and

(8) With the exception of subawards subject to the term and condition "Community Involvement Costs", recipients must obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.

b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.

c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.

**d. Community Involvement Costs**

Costs for promoting community involvement activities are allowable to the extent they are consistent with the EPA approved scope of work and applicable regulations. As authorized by 40 CFR 30.25(c)(2)(v) or 40 CFR 31.30(d)(4), EPA is granting prior approval for subawards of financial assistance to non-profit organizations or local governments representing residents in the area in which the recipient will carry out its project, or who would otherwise be affected by or benefit from the project, even if those subawards were not described in the application and funded in the award. However, the subawards must comply with the respective OMB Circulars and cost principles. The recipient must also notify EPA's project officer of the identity of the subrecipient and the purpose of the subaward when it makes the subaward and submit a revised budget which reflects the amount of the subaward(s) in the "Other" category, and clearly identifies the amounts taken from each of the remaining budget categories to fund the subaward(s).

**14. SUSPENSION AND DEBARMENT**

Recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." Recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at [www.epls.gov](http://www.epls.gov). This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

**15. TRAFFICKING VICTIM PROTECTION ACT OF 2000**

To implement requirements of Section 106 of the Trafficking Victims Protection Act of 2000, as amended, the following provisions apply to this award:

a. We, as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity: (1) is determined to have violated an applicable prohibition in the Prohibition Statement below; or (2) has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in the Prohibition Statement below through conduct that is either: (a) associated with performance under this award; or (b) imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR part 1532. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in the Prohibition Statement below.

b. Our right to terminate unilaterally that is described in paragraph a of this award term: (1) implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and (2) is in addition to all other remedies for noncompliance that are available to us under this award.

c. You must include the requirements of the Prohibition Statement below in any subaward you make to a private entity.

Prohibition Statement - You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or subawards under the award.

**16. ACORN**



Congress has prohibited EPA from using its FY 2010 appropriations to provide funds to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries. None of the funds provided under this agreement may be used for subawards/subgrants or contracts to ACORN or its subsidiaries. Recipients should direct any questions about this prohibition to their EPA Grants Management Office.

## **17. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

### **GENERAL COMPLIANCE, 40 CFR, Part 33**

The recipient agrees to comply with the requirements of EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance agreements, contained in 40 CFR, Part 33.

### **FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D**

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE (MBE/WBE) participation in procurement under the financial assistance agreements.

#### **Accepting the Fair Share Objectives/Goals of Another Recipient**

The dollar amount of this assistance agreement is \$250,000, or more; or the total dollar amount of all of the recipient's non-TAG assistance agreements from EPA in the current fiscal year is \$250,000, or more. The recipient accepts the applicable MBE/WBE fair share objectives/goals negotiated with EPA by the **New York State Department of Environmental Conservation** as follows:

- for the New York Upstate Region MBE: Construction is 6%; Equipment, Supplies and Services are 8.8%.
- for the New York Upstate Region WBE: Construction is 6%; Equipment, Supplies and Services are 8.8%.
- for the New York City Region MBE: Construction is 21.5%; Equipment, Supplies and Services are 18.8%.
- for the New York City Region WBE: Construction is 13.7%; Equipment, Supplies and Services are 20.5%.

By signing this financial assistance agreement, the recipient is accepting the fair share objectives/goals stated above and attests to the fact that it is purchasing the same or similar construction, supplies, services and equipment, in the same or similar relevant geographic buying market as **New York State Department of Environmental Conservation**.

#### **Negotiating Fair Share Objectives/Goals, 40 CFR, Section 33.404**

The recipient has the option to negotiate its own MBE/WBE fair share objectives/goals. If the recipient wishes to negotiate its own MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The submission of proposed fair share goals with the supporting analysis or disparity study means that the recipient is **not** accepting the fair share objectives/goals of another recipient. The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study, to the Regional MBE/WBE Coordinator within 120 days of its acceptance of the financial assistance award. EPA will respond to the proposed fair share objective/goals within 30 days of receiving the submission. If proposed fair share objective/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objective/goals are submitted.

### **SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C**

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to ensure that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

(a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.

(b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

(c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit



maximum participation by DBEs in the competitive process.

(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

#### **MBE/WBE REPORTING, 40 CFR, Part 33, Sections 33.502 and 33.503**

The recipient agrees to complete and submit EPA Form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" beginning with the Federal fiscal year reporting period the recipient receives the award, and continuing until the project is completed. Only procurements with certified MBE/WBEs are counted toward a recipient's MBE/WBE accomplishments.

The reports must be submitted **annually** for the period ending September 30th for:

-40 CFR Part 30 Recipients (Non-profits and Institutions of Higher Education); and/or  
-40 CFR Part 35 Subpart A and Subpart B Recipients.

The reports are due within 30 days of the end of the annual reporting period (October 30th). Reports should be sent to Michele Junker, the Region 2 DBE Coordinator. Final MBE/WBE reports must be submitted within 90 days after the project period of the grant ends. Your grant cannot be officially closed without all MBE/WBE reports.

EPA Form 5700-52A may be obtained from the EPA Office of Small Business Program's Home Page on the Internet at

<http://www.epa.gov/osbp/grants.htm>.

#### **CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302**

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

#### **BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)**

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

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#### **Programmatic Conditions**

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Please enter Terms and Conditions applicable for not having a QA Plan

### **1. SIGNAGE**

The recipient shall ensure that a visible project identification sign (with the Great Lakes Restoration Initiative logo provided by EPA Project Officer) is erected as appropriate at each on-the-ground protection or restoration project. Each sign must give project information and credit the Great Lakes Restoration Initiative and appropriate federal agencies for funding. The recipient will determine the design, placement, and materials for each sign. The GLRI logo should be accompanied with the statement indicating that the (recipient name) received financial support in the amount of (EPA funds awarded in this assistance agreement) from the EPA.

### **2. REPORTING**

#### **[A] Great Lakes Accountability System Reporting**

EPA has developed an electronic accountability and performance system called the "Great Lakes Accountability System (GLAS)". The GLAS is an internet based system designed to track GLRI projects in order to assess the GLRI's effectiveness. The Conference Report accompanying Public Law 111-88, House Report 111-316, suggested EPA develop a process that "ensures monitoring and reporting on the progress of the GLRI. The GLAS system will include program and project information including project location, environmental progress and results, and additional project data.

The recipient shall ensure that applicable information is reported **quarterly** into the GLAS database pertaining to its contributions (including those from contracts and grants) to Goals, Objectives, and Measures under the GLRI Action Plan. Quarterly reporting means the first full quarter after the issuance of award and quarterly thereafter for the life of the project, starting with January 2011. Reporting shall take place on or before January 15, April 15, July 15, and October 15, for the preceding quarter, in accordance with detailed reporting instructions that will be published periodically by EPA. If the recipient has received the award prior to July 30, 2010, a special reporting period may be negotiated with the recipient so that input into GLAS may occur before January 2011.

Recipients and sub-recipients (contractors, sub-awardees, etc.) shall be responsible for inputting their project information into the GLAS database using specified formats and timeframes. The website for the database will be accessible through the Great Lakes Restoration Initiative website (<http://greatlakesrestoration.us>) or directly at <https://restore.glnpo.net/glas/login.htm>. For more information (including a video on GLAS reporting mechanism), please visit <http://epa.gov/glnpo/live/glasdemo3/>.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2005-0001. The time required each year to complete this information collection is estimated to average 33 hours per project for state, local and tribal governments and 41 hours per project for non-governmental organizations, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information collection is scheduled to expire on July 31, 2013. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, to the Director, Collection Strategies Division, OIC/OEI, U. S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St., NW, Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number (2379.01) and OMB control number (2005-0001) in any correspondence.

#### **[B] Semi-annual progress reports**

In addition to quarterly GLAS reporting, the recipient shall submit semi-annual progress reports (electronically) to the EPA Project Officer by April 30 and October 30 of each year, commencing April 30, 2011 through the life of the assistance agreement. Progress reports shall document progress under the project in writing and in pictures. Item M2 in the online application materials provides a (<http://www.epa.gov/greatlakes/fund/applicationpac/Management/ProgressReport.pdf>) suggested outline, addressing

- (1) work accomplished for the period, quantifying results;
- (2) Object Class Category changes;
- (3) corrective actions;
- (4) projected new work;
- (5) percent completion of scheduled work;
- (6) percent of budgeted amounts spent;
- (7) any change in principal investigator;
- (8) any change needed in project period,
- (9) date and amount of latest drawdown request; and
- (10) delays or adverse conditions which materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

The reports must contain information in order to ascertain that the Scope of Work (SOW) is being carried out as specified in the assistance agreement. The EPA Project Officer must be able to determine that all mission support products, services, information or data generation and use, including technology development and verification, is performed in accordance with EPA policies and the assistance agreement.

#### **[C] Final Report**

The Final Report shall incorporate project outputs and summarize the nature and extent of the project, methodologies employed, significant events and experiences, and a compilation of the data collected. The final report shall also include analysis of the data, conclusions, and recommendations. The final report shall incorporate photo documentation of the project and environmental progress under the project at appropriate phases, and appropriate illustrations, diagrams, charts, graphs, and maps to express the data and findings. In order for the report writing costs to be eligible under the award, they must be incurred before the project end date. The draft Final Report must be submitted electronically to the EPA Project Officer no later than 45 days after the end of the project period for review and comment. Electronic and paper versions of the Final Report shall be submitted no later than 90 days after the end of the project period. All work products shall carry attribution to the U.S. EPA Great Lakes

Restoration Initiative for funding assistance and should also acknowledge significant contributions by others. If applicable, the Final Report shall include:

- A database (Excel or similar format) of field and laboratory data including but not limited to lat-long, date, time, field observations, parameter data, laboratory analysis, QA duplicates/replicates
- Model files including input-output data, model code, model output, and peripheral and post-processing utilities.

#### **[D] Geospatial Data Reporting**

Location information (address information, latitude and longitude values, coverage, geospatial metadata, and other coordinate information) shall be reported for all areas of interest in this agreement (ex: sampling sites/areas, restoration sites/areas, etc.) according to the format available at [http://www.epa.gov/nerlesd1/ggc/pdf/epa\\_natl\\_geo\\_data\\_policy.pdf](http://www.epa.gov/nerlesd1/ggc/pdf/epa_natl_geo_data_policy.pdf). Each Sample (for example concentrations of nitrate in water sample) shall include corresponding latitude and longitude information for the specific sample location. All reports and supplemental

data, text, and graphics shall be submitted to the EPA Project Officer in digital format as follows:

- [a] Original electronic copy on CD or Email Attachments. Macintosh and Windows are acceptable. All major word processing and desktop publishing formats are acceptable. Digital graphics should be submitted in their original form. Any special fonts used within the document should also be provided, OR
- [b] Hypertext markup language, (HTML) OR
- [c] "PDF" version.

Contact Pranas Pranckevicius (pranckevicius.pranas@epa.gov, (312) 353-3437) or Kenneth Klewin (klewin.kenneth@epa.gov, (312) 886-4794) with questions or to receive environmental monitoring data format. [http://www.epa.gov/glnpo/monitoring/data\\_proj/glenda/index.html](http://www.epa.gov/glnpo/monitoring/data_proj/glenda/index.html). All data, including geospatial data should be collected, acquired, processed, documented, stored, accessed, maintained, and retired through the use of complete, consistent, and integrated metadata.

### **3. QUALITY ASSURANCE PROJECT PLAN (QAPP)**

Within 90 days of receipt of this agreement, the recipient will submit to the EPA Project Officer (PO) a Quality Assurance Project Plan (QAPP). The PO will review the QAPP to insure that it meets programmatic needs and to insure that all of the required elements of the QAPP are included. Once approved by the PO, the QAPP is forwarded to the EPA QA staff for their review and approval. Guidance for developing a QAPP in compliance with EPA requirements can be found at <http://www.epa.gov/region02/qa/documents.htm>. No sampling/monitoring activities may be conducted until the QAPP has been reviewed and approved by EPA.

### **4. PRE-AWARD COSTS**

In accordance with 40 C.F.R. §31.23, the recipient is authorized to charge pre-award costs to the agreement from September 1, 2010, the beginning of the budget period, provided that such costs were contained in the approved application and approved by the EPA Project Officer prior to the issuance of the award. Approval of the pre-award cost must be consistent with the requirements set forth in the applicable OMB Cost Principles which can be found at [http://www.whitehouse.gov/omb/circulars\\_default/](http://www.whitehouse.gov/omb/circulars_default/). EPA is under no obligation to reimburse such costs unless they are included in the signed award agreement."

### **5. MEETINGS / CONFERENCES / TRAVEL COSTS**

Time and travel costs along with participation in professional meetings and conferences funded under this agreement shall be approved by the EPA Project Officer in advance. Although the EPA Project Officer may have approved this type of activity as a component of the workplan, the recipient (or its representative) seeking to attend professional meetings and conferences not covered/approved in the original scope of work, needs to obtain prior approval from an EPA Project Officer. Specifically, at least 45 days in advance, the recipient shall request approval of the EPA Project Officer for any travel plans not previously anticipated and not previously approved as part of this assistance agreement by providing the Project Officer with a description of the event, the location of the event, the event sponsor, travel dates, the recipient's role in the event, the number of travelers and estimated travel costs. The request should also include a justification describing why this travel is a necessary part of this assistance agreement. The recipient agrees that any travel requiring an increase in grant funds or a rebudgeting of funds from other cost categories of the approved budget must be approved in writing and/or by formal amendment to this agreement as applicable. In addition, the recipient understands that any international travel requires written prior approval by EPA since such travel requires clearance by EPA's Office of International Affairs and in certain instances, the US Department of State. The recipient understands that if it incurs travel costs of any kind without EPA's prior approval, it does so at its own risk.

#### **▼ EPA Review**

**Read Access:** Controlled

**Readers:** Seth Ausubel

Sharon Fortune

Helen Grebe

Michele Junker

**Submitted:**

**Approvers:** Roch Baamonde, Helen Grebe, John

Kushwara, Donna Vizian

**Submitted:** 09/10/2010

**Due Date:** 09/15/2010

Response	Approver	Date
Unknown function: @DeleteField	Unknown function: @DeleteField	Unknown function: @DeleteField
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**Grant Coordinator:** Michele Junker

▼ EPA Signature

**Award Official:** Donna Vizian

**Printed Name:** Donna J. Vizian

**Title:** Assistant Regional

**Phone:** 212-637-3580

Administrator for Policy and  
Management

**Award Date:** 09/20/2010

▼ Recipient Review

**Read Access:** Controlled

**Applicant POC:**

**Title:**

**Phone:**

▼ Recipient Acceptance

**Authorized Rep:** Thomas Lyons

**Print Name:** Thomas B. Lyons

**Title:** Director, Resource

**Phone:** 518-474-0409

Management

**Acceptance Date:**

▼ Action Code Table

Entry	Date	Action
E	07/06/2010	1 - Application Received By EPA
E	07/06/2010	2 - Application Forwarded To Program Office
P	09/02/2010	3 - Funding Recommendation w/Change Request Received By GMO
P	09/02/2010	3 - Funding Recommendation w/Change Request Received By GMO
E	09/20/2010	F - Award

▼ Origination Information

**Entry Method:** Paper

**Created By:** Michele Junker **on** 09/07/2010

**Organization:** EPA R2

▼ Notifications History

09/07/2010 - EPA Approvers - Helen Grebe, John Kushwara

09/07/2010 - EPA Approvers - Roch Baamonde

09/10/2010 - EPA Approvers - Donna Vizian

09/20/2010 - Signature - Donna Vizian, Richard Manna

9/20/2010 - Draft - Michele Junker, Sharon Fortune

09/20/2010 - Signature - Donna Vizian, Richard Manna

09/20/2010 - Grant Coordinator - Michele Junker, Sharon Fortune